



**International Association of  
Chiefs of Police**

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September 23, 1997

Office of the Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

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**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

**Re: WT Docket No. 97-153, Amendments to Part 90 of FCC Rules Concerning Private  
Land Mobile Radio Services, Specifically RM-8734, Safety Alerting Signals at 24 GHz.**

Dear Sir:

The purpose of this correspondence is to voice the opposition of law enforcement to the above captioned Notice of Proposed Rulemaking, specifically, that portion pertaining to the use of Safety Alerting Signals (Section RM-8734).

I am writing as the Chairman of the International Association Of Chiefs of Police (IACP), Highway Safety Committee, on behalf of the 16,000 law enforcement executives and commanders throughout the United States. The International Association of Chiefs of Police (IACP) was created in 1893 by law enforcement officials who recognized the need to enhance communications among police agencies due to the rapidly increasing mobility of criminals.

The IACP is the only professional law enforcement association that was created by law enforcement officials. Today it is still governed and operated by law enforcement personnel and is headquartered in Alexandria, Virginia. Throughout its history, the IACP has been in the forefront of police traffic services and the development of state highway safety programs. The IACP was among the first, for example, to call for safety belt and child passenger safety legislation by the states; supported enforcement of all speed limits; supported raising the drinking age to 21 years; supported the uniform heavy-duty vehicle inspection criteria; supported the Drug Evaluation and Classification Program and others. In addition, the IACP recommended that law enforcement agencies adopt and enforce mandatory safety belt use policies.

As traffic safety professionals, the proposed rule making put forward by RADAR raises several serious concerns from both the law enforcement and public safety perspectives. First and foremost, the effort by RADAR, on behalf of radar and laser detector manufacturers, is, in our opinion, a transparent attempt by this industry to legitimize a product which promotes the

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September 23, 1997

Page 2

flaunting of speed laws and is recognized as a detriment to traffic safety. Excessive speed has long been acknowledged as a major contributing factor in fatal traffic crashes. Radar detectors, which have been banned nationwide in commercial vehicles, and in all vehicles in more than one state, provide nothing more than a means by which those who wish to exceed posted speed limits may do so with greatly reduced chances of being caught by law enforcement officers.

The proposed "Safety Alert" Devices will operate on the 24.10 GHz frequency. This frequency falls within what is known as the "K" Band of police traffic radar, the band most commonly used by law enforcement. What is not mentioned in the rulemaking is that the receivers will, in addition to the K-band signals emitted by approaching emergency vehicles, also pick up signals emitted by other bands of police traffic radar. Thus, these devices, when not receiving emergency notification of road hazards and approaching emergency vehicles, will be used to alert the driver of speed enforcement activities of police. This fact, in and of itself, in my opinion, negates any safety benefit which might be realized by these devices.

As mentioned above, the Federal Highway Administration has banned the use of radar detection devices by interstate commercial vehicle operators. The reason for this ban is that by using such devices, commercial drivers circumvent speed restrictions. The proposed rule could be used to negate this ban on radar detectors through the use of semantics. By naming the device something other than a "radar detector" the commercial driver will be able to avoid restrictions against these devices, while having the ability to detect all radar-based signals, including those emitted by traffic radar devices. In addition, this rulemaking will, in all likelihood, place the Federal Communications Commission at odds with the US Department of Transportation, the agency which promulgates safety rules for commercial vehicles.

In the rulemaking, much is made of the possible safety benefits of the "Safety Alert Signal" and the intended purpose of advising motorists, via their radar detector (or special emergency receiver) of the presence and nature of a road hazard or approaching emergency vehicle. I believe that the safety effects are far overstated, and in fact, the presence of these devices, both the transmitters used by emergency vehicles, as well as the receivers used by the motorist, may be more a hazard than safety device.

For the operator of an emergency vehicle or the person working at a construction or crash scene, a hazard exists in assuming that because an emergency transmitter is in use, all motorists will receive the signal and respond appropriately. At the present time, a relatively small portion of the motoring public uses radar detectors. Since there does not appear to be an effort to require the manufacturers of motor vehicles to include these devices on all new vehicles, or even make them an option, it is unlikely that the majority of vehicles will be so equipped in the near future. Thus, it would be dangerous to rely on the safety alert device in lieu of already available technology to advise motorists of dangerous conditions.

In addition, a motorist who purchases a safety alert receiver and assumes that any hazard or unusual condition will be announced by the device, may be placed at risk. It is unrealistic to believe that all, or even a majority of jurisdictions will participate in using the safety alert

Response to Docket No. 97-153

September 23, 1997

Page 3

transmitters. Thus a person relying on this device rather than their powers of observation and concentration may not perceive a hazard in time to react appropriately.

In summary, based on my experience as a law enforcement officer and traffic safety advocate, I must object to the amendment to Part 90 of FCC rules for the following reasons:

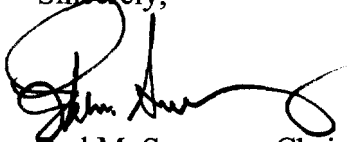
1. The use of these devices will encourage disobedience to speed limits;
2. Authorization of these devices may be in conflict with existing Federal and State regulation prohibiting the use of radar detectors;
3. Reliance on these devices may pose more of a risk to emergency workers and motorists alike than is currently the case.

I hope that the above has provided an alternative view of the request by the Radio Association Defending Airwave Rights to permit the use of the Safety Alerting System. If I may provide further information, please feel free to contact me at the following address:

Earl M. Sweeney, Chairman  
IACP Highway Safety Committee  
515 North Washington Street  
Alexandria, VA 22314-2357

Thank you for your consideration of this important highway safety issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl M. Sweeney", with a large, stylized initial "E" and a long, sweeping underline.

Earl M. Sweeney, Chairman  
IACP Highway Safety Committee